

Holland+Knight

Tel 617 523 2700
Fax 617 523 6850

Holland & Knight LLP
10 St. James Avenue
Boston, MA 02116-3889
www.hklaw.com

Gordon P. Katz
617 573 5839
gordon.katz@hklaw.com

April 9, 2008

ELECTRONIC FILING

The Honorable Mark L. Wolf
United States District Court
District of Massachusetts
John Joseph Moakley U.S. Courthouse
One Courthouse Way
Boston, MA 02210

Re: *Fireman, et al. v. News America Marketing In-Store, Inc.*
Civil Action No. 1:05-cv-11740

Dear Judge Wolf:

Following oral argument on defendant's motion for summary judgment yesterday, April 8, counsel had discussions with their respective clients regarding the possibility of settlement. As a result of these discussions, and then discussions between counsel for both sides, we can report that settlement is not possible at the present time.

Thank you again for your attention to this matter.

Very truly yours,

/s/ Gordon P. Katz
Gordon P. Katz

GPK/me-b

cc: Kevin T. Peters, Esq.

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